

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

AMAZON.COM, INC. and AMAZON
DATA SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR
COMMERCIAL PARTNERS; BRIAN
WATSON; STERLING NCP FF, LLC;
MANASSAS NCP FF, LLC; NSIPI
ADMINISTRATIVE MANAGER; NOVA
WPC LLC; WHITE PEAKS CAPITAL LLC;
VILLANOVA TRUST; CARLETON
NELSON; CASEY KIRSCHNER;
ALLCORE DEVELOPMENT LLC;
FINBRIT HOLDINGS LLC; CHESHIRE
VENTURES LLC; 2010 IRREVOCABLE
TRUST; SIGMA REGENERATIVE
SOLUTIONS LLC; CTBSRM, INC.;
RODNEY ATHERTON; DEMETRIUS VON
LACEY; RENRETS LLC,

Defendants.

CASE NO. 1:20-CV-484-RDA-IDD

800 HOYT LLC,

Intervening Interpleader
Plaintiff, Intervening
Interpleader Counter-
Defendant,

v.

BRIAN WATSON; WDC HOLDINGS, LLC;
BW HOLDINGS, LLC,

Interpleader Defendants,

and

AMAZON.COM, INC., and AMAZON
DATA SERVICES, INC.,

Interpleader Defendants,
Interpleader Counter-Plaintiffs.

**CONSENT MOTION TO ADJUST BRIEFING SCHEDULE AND
HEARING DATE FOR DEFENDANT CARLETON NELSON'S
MOTION TO COMPEL**

Plaintiffs Amazon.com Inc. and Amazon Data Services, Inc. (collectively “Amazon”) hereby respectfully move the Court to reset the hearing date and adjust the briefing schedule for Defendants Carlton Nelson’s (“Nelson”) motion to compel a supplemental response to Request for Production 4, Dkt. 1114. Amazon asks the Court to reset the hearing for this motion to January 4, 2023, to set the deadline for Amazon’s response to December 30, 2022, and to set the deadline for Nelson’s reply to January 2, 2023. Nelson consents to this requested schedule.¹

On Friday, December 23, 2022 Nelson filed a motion to compel the production of certain documents. This filing, made in the afternoon two days before Christmas, asks the Court to resolve a dispute over a request for production that Nelson served on January 1, 2022 and was narrowed through conferral in January 2022. Fact discovery in this action closed on October 14, 2022, after multiple extensions. By filing the motion to compel on the afternoon of December 23, and noticing it for a hearing of December 30, 2022, Nelson has imposed a default briefing schedule that would set Amazon’s response to be due December 28. There is no basis for imposing this rapid briefing schedule to resolve the motion, which would impose avoidable and unwarranted burdens on counsel who are traveling to observe the holidays. The modest adjustment to the schedule that Amazon requests, and to which Nelson consents, will not impose hardship on any party.

Amazon respectfully requests that the Court reset the hearing on Nelson’s motion, Dkt. 1114, for January 4, 2023, and set the deadlines for Amazon’s response and Nelson’s reply to be December 30, 2022, and Jan. 2, 2023, respectively.

¹ Defense counsel have indicated that they are not available for a hearing on January 5 or 6.

Dated: December 23, 2022

Respectfully submitted,

Veronica S. Moyé (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201
Telephone: (214) 698-3100
Facsimile: (214) 571-2900
vmoye@gibsondunn.com

/s/ Michael R. Dziuban
Elizabeth P. Papez (*pro hac vice*)
Patrick F. Stokes (*pro hac vice*)
Jason J. Mendro (*pro hac vice*)
Claudia M. Barrett (*pro hac vice*)
David W. Casazza (*pro hac vice*)
Amanda Sterling (*pro hac vice*)
Michael R. Dziuban (Va. State Bar No. 89136)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
Telephone: (202) 955-8500
Facsimile: (202) 467-0539
epapez@gibsondunn.com
pstokes@gibsondunn.com
jmendro@gibsondunn.com
cbarrett@gibsondunn.com
dcasazza@gibsondunn.com
asterling@gibsondunn.com
mdziuban@gibsondunn.com

Counsel for Plaintiffs Amazon.com, Inc. and Amazon Data Services, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I will then send the document and a notification of such filing (NEF) to the following parties via U.S. mail to their last-known address and by email, where noted:

CTBSRM, Inc.
6870 W 52nd Ave., Ste. 203
Arvada, CO 80002

2010 Irrevocable Trust
6870 W 52nd Ave., Ste. 203
Arvada, CO 80002

Demetrius Von Lacey
2845 Des Moines Dr.,
Fort Collins, CO 80525

Sigma Regenerative Solutions, LLC
6870 W 52nd Ave., Ste. 203
Arvada, CO 80002

s/ Michael R. Dziuban

Michael R. Dziuban
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
Telephone: (202) 955-8500
Facsimile: (202) 467-0539
mdziuban@gibsondunn.com

*Counsel for Plaintiffs Amazon.com, Inc. and
Amazon Data Services, Inc.*